

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JOHN HANCOCK LIFE INSURANCE)	
COMPANY, JOHN HANCOCK)	
VARIABLE LIFE INSURANCE)	
COMPANY, and MANULIFE)	
INSURANCE COMPANY (f/k/a)	Civil Action No. 05-11150-DPW
INVESTORS PARTNER LIFE)	
INSURANCE COMPANY),)	
)	
)	
<i>Plaintiffs,</i>)	
)	
v.)	
)	
ABBOTT LABORATORIES,)	
)	
<i>Defendant.</i>)	

**ABBOTT LABORATORIES' MOTION
FOR IMPOUNDMENT OF CONFIDENTIAL INFORMATION**

Pursuant to Local Rule 7.2, Defendant Abbott Laboratories ("Abbott") respectfully moves for leave for Plaintiffs John Hancock Life Insurance Company, John Hancock Variable Life Insurance Company, and Manulife Insurance Company (f/k/a Investors Partners Life Insurance Company ("Hancock") to file their Memorandum in Opposition to Defendant's Motion to Strike Prayer for Rescission in Plaintiffs First Amended Complaint ("Opposition Memorandum") and Affidavit of Stacy L. Blasberg in support thereof, dated February 9, 2007 ("Affidavit"), under seal.

Abbott respectfully requests that the Opposition Memorandum and Affidavit be impounded until further Order of the Court. In addition, Abbott respectfully requests that the Court accept the Opposition Memorandum and Affidavit provisionally under Seal pending the Court's ruling on this Motion. Upon termination of the impoundment period, Abbott will

retrieve and take custody of the Opposition Memorandum and Affidavit. This motion is narrowly tailored to address only competitively sensitive information – Abbott does not object to Hancock filing a public version of the Affidavit with redaction of Exhibits 1, 4, 9-12, and 14-16 and a public version of the Opposition Memorandum with redaction of the text on pages 5-8 that cites those exhibits.

The grounds for the motion are that the Opposition Memorandum and Exhibits 1, 4, 9-12, and 14-16 contain confidential and competitively sensitive information regarding Abbott's development of various drug compounds. For example, the Research Funding Agreement ("Agreement") between Hancock and Abbott, dated March 13, 2001, includes detailed information regarding the research and/or development budgets for several compounds, projected development timelines, market analysis, and a summary of the status and prospects of the compounds. *See* Affidavit, Ex. 1 at JH 008116-209. Because the Agreement reflects competitively sensitive information, the parties expressly agreed to preserve its confidentiality. *See id.* at JH 008102. Likewise, the Opposition Memorandum and Exhibits 4, 9-12, and 14-16 of the Affidavit include confidential information regarding Abbott's development of ABT-518, ABT-594, and ABT-773 and other compounds, and its strategic analysis regarding such compounds, and pages 5-8 of the Opposition Memorandum contains confidential information derived from those exhibits. *See* Affidavit, Ex. 4, 9-12, and 14-16; Opp. Mem. at 5-8. All of the above-referenced exhibits have been designated "Confidential" or "Highly Confidential" by Abbott pursuant to the Protective Order. *See* Affidavit, Ex. 1, 4, 9-12, and 14-16; Opp. Mem. at 5-8. Disclosure of the information contained in these materials could cause competitive harm to Abbott by providing competitors with proprietary information regarding Abbott's drug development program, as well as its market analysis and business strategies.

WHEREFORE, Abbott respectfully requests that the Opposition Memorandum and Affidavit be impounded until further Order of the Court. In addition, Abbott respectfully requests that the Court accept the Opposition Memorandum and Affidavit provisionally under Seal pending the Court's ruling on this Motion. Abbott does not object to Hancock's filing a public version of the Affidavit with redaction of Exhibits 1, 4, 9-12, and 14-16 and a public version of the Opposition Memorandum with redaction of the text on pages 5-8 that cites those exhibits.

Dated: February 13, 2007

Respectfully submitted,

ABBOTT LABORATORIES

By: /s/ Michael S. D'Orsi

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Counsel for Abbott Laboratories

LOCAL RULE 7.1 AND 37.1 CERTIFICATION

The undersigned hereby certifies that counsel for Abbott Laboratories has conferred with counsel for Plaintiffs in a good faith effort to resolve or narrow the issues in this Motion.

/s/ Michael S. D'Orsi

Date: February 13, 2007

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on February 13, 2007.

Date: February 13, 2007

/s/ Jill Brenner Meixel
Jill Brenner Meixel